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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ETOPIA EVANS, as the Representative of the)
Estate of Charles Evans, et al.,)
)
Plaintiffs,)
)
vs.)
)
ARIZONA CARDINALS FOOTBALL CLUB,)
LLC, et al.,)
)
Defendants.)

Case No. 3:16-cv-01030-WHA

**PLAINTIFFS' ADMINISTRATIVE
MOTION FOR LEAVE TO EXCEED
PAGE LIMITATIONS SET FORTH IN
CIVIL LOCAL RULES 7-3(a) AND 7-4(b)**

The Honorable William H. Alsup

Pursuant to Local Rule 7-11, Plaintiffs respectfully request an order authorizing them to file a memorandum in opposition (“Opposition”) to Defendants’ Motion to Dismiss and/or Motion for Summary Judgment, due Monday, April 3, in excess of the 25-page limit set forth in Civil Local Rules 7-3(a) and 7-4(b).

RELIEF REQUESTED

Through this Motion, Plaintiffs seek entry of the [Proposed] Order Extending Page Limit for Briefing on Plaintiffs’ Opposition to Defendants’ Motion to Dismiss Amended Complaint (“Proposed Order”), filed herewith, which would permit Plaintiffs to file an Opposition not to exceed a total of 30 pages in length.

BACKGROUND

Plaintiffs filed a 100-page-plus Second Amended Complaint alleging that Defendants, the 32 member clubs comprising the National Football League, committed intentional misrepresentations and concealed material facts relating to, *inter alia*, medications their employees and/or agents provided to Plaintiffs and a putative class of similarly situated persons. Defendants have moved to dismiss that complaint and/or seek summary judgment as to those claims, raising a host of complex arguments regarding the sufficiency of Plaintiffs’ claims and whether they are time-barred.

ARGUMENT

Civil Local Rules 7-3(a) and 7-4(b) provide that opposition memoranda shall not exceed 25 pages of text, which can be enlarged at the Court’s discretion. *See* Civil Local Rule 7-11 (referencing “motions to exceed otherwise applicable page limitations”). Plaintiffs respectfully request that they be granted leave of Court to exceed these page limitations for good cause. Defendants have filed two motions and, at least with regard to the motion to dismiss, have raised a number of issues, including the appropriate standard and what effect this Court’s prior

1 decisions has on the applicable pleading standard, and requires a claim by claim analysis that
 2 only lengthens a response. As to the motion for summary judgment, while predicated on a single
 3 issue, that issue is nuanced and requires evidentiary support from deposition transcripts and
 4 interrogatory answers, which again only lengthens a response. The foregoing notwithstanding,
 5 Plaintiffs are optimistic they can keep their response to 25 pages, and if they can, they will, but
 6 discretion being the better part of valor, Plaintiffs file this motion to ensure they
 7 comprehensively address the complex issues raised by the Defendants in their motion.
 8

9 Defendants do not oppose Plaintiffs' request (Declaration of William N. Sinclair, ¶¶6-7,
 10 filed herewith).

11 **CONCLUSION**

12 For the foregoing reasons, Plaintiffs respectfully request that the Court enter an Order
 13 granting the relief requested herein.

14 DATED: March 31, 2017

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22 /s/

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